

Magistrate Judge Michelle L. Peterson

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

CHRISTIANA AUSTIN

Defendant.

CASE NO. MJ21-545

COMPLAINT for VIOLATIONS OF

Title 18, United States Code, Sections 1343,  
2

BEFORE, Michelle L. Peterson, United States Magistrate Judge, U. S. Courthouse,  
Seattle, Washington.

The undersigned complainant being duly sworn states:

**COUNT ONE**

**(Wire Fraud)**

On or about July 26, 2020, at Bellevue, in the Western District of Washington and elsewhere, CHRISTIANA AUSTIN, the defendant, knowingly devised and intended to devise a scheme and artifice to defraud the United States, and to obtain money and property by means of material false and fraudulent pretenses, representations and promises, and attempted to do so.

A. Manner and Means

1. It was part of the scheme to defraud that AUSTIN submitted, or caused to be

submitted, a fraudulent loan application to the U.S. Small Business Administration (“SBA”), seeking \$126,500 in funds through the COVID-19 Economic Injury Disaster Loan (“EIDL”) program, on behalf of Christiana Lingerie LLC (“Christiana Lingerie”).

2. In support of Christiana Lingerie’s fraudulent loan application, AUSTIN made numerous false and misleading statements, including, but not limited to: (a) Christiana Lingerie was a Non-Profit Organization; (b) the twelve months prior to January 31, 2020, Christiana Lingerie received \$854,000 in gross revenues; (c) Christiana Lingerie’s primary address was 1529 145<sup>th</sup> Place SE, Bellevue, WA; (d) Christiana Lingerie was established on or about April 8, 2014; (e) Christiana Lingerie employed 13 individuals as of January 31, 2020.

#### B. Execution

On or about July 26, 2020, at Bellevue, in the Western District of Washington and elsewhere, AUSTIN, for the purpose of executing the scheme described above transmitted and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, to wit, an interstate wire from Washington State to Iowa, the location of the servers that receive and process EIDL applications on behalf of the SBA.

### **COUNT TWO**

#### **(Wire Fraud)**

On or about July 26, 2020, at Bellevue, in the Western District of Washington and elsewhere, AUSTIN, the defendant, knowingly devised and intended to devise a scheme and artifice to defraud the United States, and to obtain money and property by means of material false and fraudulent pretenses, representations and promises, and attempted to do so.

#### A. Manner and Means

1. It was part of the scheme to defraud that AUSTIN submitted, or caused to be submitted, an electronic Loan Agreement containing a materially false statement to the SBA, seeking \$126,500 in funds through the EIDL program, on behalf of

1  
2 Christiana Lingerie LLC.

3 2. AUSTIN certified under penalty of perjury that “I am authorized to apply for  
4 and obtain a disaster loan on behalf of the Borrower [Christiana Lingerie LCC] in  
5 connection with the effects of the COVID-19 emergency.” In fact, Austin was not  
6 authorized to apply for and obtain a disaster loan on behalf of Christiana Lingerie LLC  
7 because it was not in operation on January 31, 2020, as required by the EIDL program. By  
8 electronically signing the Loan Agreement, AUSTIN acknowledged that “any false  
9 statements or misrepresentations to SBA may result in criminal, civil, or administrative  
10 sanctions including, but not limited to: 1) fines, imprisonment or both...”

11 B. Execution

12 On or about July 26, 2020, at Bellevue, in the Western District of Washington and  
13 elsewhere, AUSTIN, for the purpose of executing the scheme described above transmitted  
14 and cause to be transmitted by means of wire, radio, and television communication in  
15 interstate and foreign commerce, writings, signs, signals, pictures, and sounds, to wit, an  
16 interstate wire, from Bellevue, Washington to Chicago, Illinois, Seattle, WA, and  
17 Richardson, Texas, the location of the servers that receive and process EIDL loan closing  
18 documents on behalf of the SBA.

19 **COUNT THREE**

20 **(Wire Fraud)**

21 On or about July 26, 2020, at Bellevue, in the Western District of Washington and  
22 elsewhere, AUSTIN, the defendant, knowingly devised and intended to devise a scheme  
23 and artifice to defraud the United States, and to obtain money and property by means of  
24 material false and fraudulent pretenses, representations and promises, and attempted to do  
25 so.

26 A. Manner and Means

27 1. It was part of the scheme to defraud that AUSTIN caused to be transferred, an  
28 interstate wire of \$126,400 from the SBA to a personal account at Financial  
Services Technology Company 1 in the name of AUSTIN.

1  
2 B. Execution

3 On or about July 27, 2020, at Bellevue, in the Western District of Washington and  
4 elsewhere, AUSTIN, for the purpose of executing the scheme described above transmitted  
5 and cause to be transmitted by means of wire, radio, and television communication in  
6 interstate and foreign commerce, writings, signs, signals, pictures, and sounds, to wit, an  
7 interstate wire from Denver, Colorado, to Bellevue, Washington, in the amount of  
8 \$126,400 from the SBA's bank account to AUSTIN's personal account at Financial  
9 Technology Company 1.

10 All in violation of Title 18, United States Code, Sections 1343 and 2.

11 I, ERIC HUNTER, being first duly sworn on oath, depose and say:

12 1. I am a Special Agent for the U.S. Small Business Administration, Office of  
13 Inspector General ("SBA-OIG"), Federal Way, WA Field Office. I have been employed  
14 as a Special Agent of the SBA-OIG since December 2017. I have received basic federal  
15 law enforcement training, including at the Federal Law Enforcement Training Center, as  
16 well as other specialized federal law enforcement training. I have investigated violations  
17 of federal statutes, including wire fraud, mail fraud, money laundering, conspiracy and  
18 theft of government and public money. I have been a sworn law enforcement officer  
19 during all times herein.

20 2. The information contained in this Complaint is the result of my own  
21 investigation as well as information provided to me by others, including other investigators  
22 and law enforcement officers. In each instance when I recite information from such others,  
23 I have gained that information either by talking directly to such investigators and law  
24 enforcement officers or reviewing written reports of their investigation, or both. This  
25 Complaint accurately summarizes some of the evidence I discovered during my  
26 investigation; it does not, however, contain every detail known to me about the  
27 investigation.

28 **FACTS ESTABLISHING PROBABLE CAUSE**

*The Economic Injury Disaster Loan Program*

1  
2           3.       The EIDL program is an SBA program that provides low-interest financing  
3 to small businesses, renters, and homeowners in regions affected by declared disasters.

4           4.       The Coronavirus Aid, Relief, and Economic Security (“CARES”) Act is a  
5 federal law enacted in or around March 2020 and designed to provide emergency financial  
6 assistance to the millions of Americans who are suffering the economic effects caused by  
7 the COVID-19 pandemic. The CARES Act authorized the SBA to provide EIDLs of up to  
8 \$2 million to eligible small businesses experiencing substantial financial disruption due to  
9 the COVID-19 pandemic. In addition, the CARES Act authorized the SBA to issue  
10 advances of up to \$10,000 to small businesses within three days of applying for an EIDL.  
11 The amount of the advance is determined by the number of employees the applicant  
12 certifies having. The advances do not have to be repaid.

13           5.       In order to obtain an EIDL and advance, a qualifying business must submit  
14 an application to the SBA and provide information about its operations, such as the number  
15 of employees, gross revenues for the 12-month period preceding the disaster, and cost of  
16 goods sold in the 12-month period preceding the disaster. In the case of EIDLs for COVID-  
17 19 relief, the 12-month period was that preceding January 31, 2020. The applicant must  
18 also certify that all the information in the application is true and correct to the best of the  
19 applicant’s knowledge.

20           6.       EIDL applications are submitted directly to the SBA and processed by the  
21 agency with support from a government contractor. The amount of the loan, if the  
22 application is approved, is determined based, in part, on the information provided by the  
23 application about employment, revenue, and cost of goods, as described above. Any funds  
24 issued under an EIDL, or advance are issued directly by the SBA. At the time of the  
25 scheme, EIDL funds could be used for payroll expenses, sick leave, production costs, and  
26 business obligations, such as debts, rent, and mortgage payments.

27                           *The Defendant and Other Relevant Information*

28           7.       CHRISTIANA AUSTIN is a United States citizen residing in Bellevue,  
Washington. AUSTIN was employed as a caterer at Lish food in Seattle, WA.

8. Christiana Lingerie LLC (“Christiana Lingerie”) is a company AUSTIN claimed to have established in 2014 that was located at her apartment in Bellevue, Washington.

*Overview of the Fraud*

9. As described further below, evidence gathered in the investigation demonstrates that, from in or around July 2020, AUSTIN submitted, or caused to be submitted, a fraudulent loan application and loan agreement to the SBA in order to fraudulently obtain funds through the EIDL program.

10. In connection with this fraud, AUSTIN submitted, or caused to be submitted, the following fraudulent loan applications:

Applicant	Amount Sought	Lender	Approx. Date of Application	Status
Christiana Lingerie LLC	\$126,500	SBA	7/26/20	Approved

11. AUSTIN distributed fraudulently obtained EIDL proceeds to herself.

*Fraudulent EIDL Application Submitted on Behalf of Christiana Lingerie LLC*

12. According to records obtained from the SBA, on July 26, 2020, AUSTIN applied to the SBA for an EIDL on behalf of Christiana Lingerie in the amount of \$126,500 via the SBA’s online application portal. AUSTIN accessed the SBA online portal from a unique Internet Protocol (“IP”) address owned by AT&T Wireless, a provider of wireless phone services. The same day the online application was submitted to the SBA, the same unique IP address was used to login to a personal email account owned and controlled by AUSTIN, kashmere2424@gmail.com. The phone number provided on the online application, (206) 495-3138, is a known phone number associated with AUSTIN and owned by AT&T Wireless.

1  
2 13. Based on records obtained from the SBA, AUSTIN electronically signed  
3 the EIDL Application on July 26, 2020. The EIDL Application falsely represented the  
4 following information about Christiana Lingerie:

- 5 a. That it had 13 employees;  
6 b. That its gross revenue for the twelve months prior to the date of the disaster  
7 (January 31, 2020) was \$854,000;  
8 c. That it was a Non-Profit organization  
9 d. That its cost of goods sold for the twelve months prior to the date of the  
10 disaster (January 31, 2020) was \$452,000;  
11 e. That it lost \$452,000 in rental property income as a result of the disaster;  
12 f. That the business was established on April 8, 2014;  
13 g. That it was an agricultural enterprise with less than 500 employees.

14 14. The government's investigation has revealed that Christiana Lingerie's  
15 EIDL application contained materially false and misleading information.

- 16 a. A search of the Washington Secretary of State public website shows the  
17 agency has no records related to Christiana Austin LLC.  
18 b. Based on records obtained from the Washington State Department of  
19 Revenue ("DOR"), AUSTIN had several expired business licenses at the  
20 time of the EIDL application. On or about August 31, 2020, after AUSTIN  
21 submitted the EIDL application, AUSTIN applied for and received a sole  
22 proprietorship account with the DOR for Impeccable Beauty, a business  
23 located at 1529 145<sup>th</sup> PL SE, Apt K7, Bellevue, WA. This address is the  
24 primary residence of AUSTIN and the purported location of Christiana  
25 Lingerie.  
26 c. Based on records obtained from the King County Housing Authority  
27 ("KCHA"), on or about October 9, 2019, AUSTIN submitted a "Certification  
28 Form" in support of her application for Section 8 government housing  
assistance. On the application, AUSTIN claimed she did not have self-



1  
2 employment income or employment income. AUSTIN listed her phone  
3 number as (206) 495-3138, the same number listed on the EIDL application.

4 d. In February 2020, AUSTIN reported to the KCHA that she was hired as a  
5 caterer by Lish Food in Seattle, WA in January 2020. AUSTIN was making  
6 approximately \$20 per hour. The Office Manager at Lish Food confirmed  
7 AUSTIN's employment.

8 e. Based on records obtained from the Washington State Department of Social  
9 and Health Services ("DSHS") AUSTIN reported in March 2020 that she  
10 was hired by Lish Catering in January 2020 with an average income of  
11 \$677.25 per month. AUSTIN did not report any other forms of income. On  
12 or about October 22, 2019, AUSTIN applied for cash benefits for herself and  
13 her son. AUSTIN claimed to have a gross monthly income of \$450.00 per  
14 month.

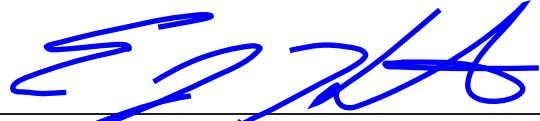
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**CONCLUSION**

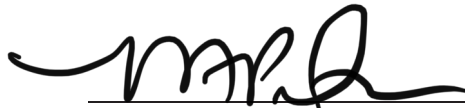
15. Based on the above facts, I respectfully submit that there is probable cause to believe that CHRISTIANA AUSTIN did willfully and knowingly conspire, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property under the custody of financial institutions by means of false and fraudulent pretenses, representations and promises, in violation of Title 18, United States Code, Sections 1343 and 2.



Eric Hunter, Complainant  
Special Agent, SBA-OIG

The above-named agent provided a sworn statement attesting to the truth of the contents of the foregoing affidavit, and based on the Complaint and Affidavit, the Court hereby finds that there is probable cause to believe the Defendant committed the offenses set forth in the Complaint.

Dated this 6<sup>th</sup> day of October, 2021.



Hon. Michelle L. Peterson  
United States Magistrate Judge